

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	:	10/724,900	Confirmation No.:	2442
Applicant	:	J. G. MORRIS, et al.		
Filed	:	December 2, 2003		
Title	:	REDUCTION IN BACTERIAL COLONIZATION BY ADMINISTERING BACTERIOPHAGE COMPOSITIONS		
TC/Art Unit	:	1636		
Examiner:	:	Michele K. Joike		
Docket No.	:	62610.000035		
Customer No.	:	21967		

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants submit attached Forms PTO/SB/08A and PTO/SB/08B (modified) for consideration and request the references cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

In accordance with 37 C.F.R. § 1.98(a)(2)(ii), copies of cited U.S. patents and/or U.S. patent application publications are not being provided. In addition, pursuant to 37 C.F.R. § 1.98(d), copies of the references are not being provided because they were cited in Information Disclosure Statements submitted in U.S. Application No. 09/757,685 ("the '685 application") or were made of record during the prosecution of the '685 application, from which the present application claims the benefit of priority under 35 U.S.C. § 120.

Applicants respectfully point out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

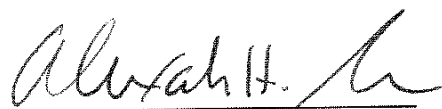
In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action on the merits, therefore, it is respectfully submitted that no fee is required for consideration of this information. The Restriction Requirement mailed March 21, 2006 is not believed to be an action on the merits as defined in M.P.E.P. § 810., the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: September 26, 2006

By:



Laurence H. Posorske
Registration No. 34,698

Alexander H. Spiegler
Registration No. 56,625

Hunton & Williams LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)
LHP/AHS/sac

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/724,900
		Filing Date	December 2, 2003
		First Named Inventor	J. G. Morris, et al.
		Art Unit	1636
		Examiner Name	Michele K. Joike
Sheet	1 of 5	Attorney Docket Number	62610.000035

U.S. PATENT DOCUMENTS

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US- 4,375,734	03-08-1983	Kozloff, et al.	
	2.	US- 4,891,210	01-02-1990	Norris	
	3.	US- 4,957,686	09-18-1990	Norris	
	4.	US- 5,132,221	07-21-1992	Ward, et al.	
	5.	US- 5,612,182	03-18-1997	Pearson, et al.	
	6.	US- 5,641,464	06-24-1997	Briggs, III, et al.	
	7.	US- 5,660,812	08-26-1997	Merril, et al.	
	8.	US- 5,688,501	11-18-1997	Merril, et al.	
	9.	US- 5,766,892	06-16-1998	Merril, et al.	
	10.	US- 5,811,093	09-22-1998	Merril, et al.	
	11.	US- 6,121,036	09-19-2000	Ghanbari, et al.	
	12.	US- 6,322,783	11-27-2001	Takahashi	
	13.	US- 6,015,816	01-18-2000	Kostyniak, et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/724,900
		Filing Date	December 2, 2003
		First Named Inventor	J. G. Morris, et al.
		Art Unit	1636
		Examiner Name	Michele K. Joike
Sheet	2 of 5	Attorney Docket Number	62610.000035

FOREIGN PATENT DOCUMENTS

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code Number-Kind Code (if known)					YES	NO
	14.	EP	0 290 295	11-09-1988	Day		<input type="checkbox"/>	<input type="checkbox"/>
	15.	EP	0 414 304	02-27-1991	Jones, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	16.	EP	0 510 907	10-28-1992	Gasson		<input type="checkbox"/>	<input type="checkbox"/>
	17.	WO	90/13631	11-15-1990	Jackson		<input type="checkbox"/>	<input type="checkbox"/>
	18.	JP	62-123104	06-04-1987	Tanaka, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	19.	GB	2 253 859	09-23-1992	Day, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	20.	DE	3714699	01-07-1988	Benz		<input type="checkbox"/>	<input type="checkbox"/>
	21.	WO	00/69269	11-23-2000	Merril, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	22.	WO	97/39111	10-23-1997	Averback, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	23.	WO	95/27043	10-12-1995	Carlton, et al.		<input type="checkbox"/>	<input type="checkbox"/>
	24.	DE	198 28 596 A1	02-11-1999	Nodar		<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/724,900
		Filing Date	December 2, 2003
		First Named Inventor	J. G. Morris, et al.
		Art Unit	1636
		Examiner Name	Michele K. Joike
Sheet	3 of 5	Attorney Docket Number	62610.000035

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	25.	Alavidze, Z., et al., "Isolation of Specific Lytic Phases against Multidrug Resistant <i>Pseudomonas aeruginosa</i> ", American Society for Microbiology, Final Program, 1999.	<input type="checkbox"/>	<input type="checkbox"/>
	26.	Kudva, Indira T., et al., "Biocontrol of <i>Escherichia coli</i> O157 with O157-Specific Bacteriophages", Applied and Environmental Microbiology, vol. 65, pg. 3767-3773, 1999.	<input type="checkbox"/>	<input type="checkbox"/>
	27.	Lenski, Richard E., "Dynamics of Interactions Between Bacteria and Virulent Bacteriophage", Adv. Microb., Ecol., vol. 10, pg. 1-44, 1988.	<input type="checkbox"/>	<input type="checkbox"/>
	28.	Levin, Bruce R., et al., "Phage Therapy Revisited: The Population Biology of a Bacterial Infection and its Treatment with Bacteriophage and Antibiotics", The American Naturalist, vol. 147, pg. 881-898, 1996.	<input type="checkbox"/>	<input type="checkbox"/>
	29.	Ochs, Hans D., "Immunologic Responses to Bacteriophage ϕ X 174 in Immunodeficiency Diseases", The Journal of Clinical Investigation, vol. 50, pg. 2559-2567, 1971.	<input type="checkbox"/>	<input type="checkbox"/>
	30.	Slopek, et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections; I. General Evaluation of the Results", Arch. Immunol. Therapiae Exper., vol. 31, pg. 267-291, 1983.	<input type="checkbox"/>	<input type="checkbox"/>
	31.	Slopek, et al., Results of Bacteriophage Treatment of Suppurative Bacterial Infections; II. Detailed Evaluation of the Results", Arch. Immunol. Therapiae Exper., vol. 31, pg. 293-327, 1981.	<input type="checkbox"/>	<input type="checkbox"/>
	32.	Slopek, et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections; III. Detailed Evaluation of the Results Obtained in Further 150 cases", Arch. Immunol. Therapiae Exper., vol. 32, pg. 317-335, 1984.	<input type="checkbox"/>	<input type="checkbox"/>
	33.	Slopek, et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections; IV. Evaluation of the Results Obtained in 370 cases", Arch. Immunol. Therapiae Exper., vol. 33, pg. 219-240, 1985.	<input type="checkbox"/>	<input type="checkbox"/>
	34.	Slopek, et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections; V. Evaluation of the Results Obtained in Children", Arch. Immunol. Therapiae Exper., vol. 33, pg. 241-260, 1985.	<input type="checkbox"/>	<input type="checkbox"/>
	35.	Slopek, et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections; VI. Analysis of Treatment of Suppurative Staphylococcal Infections", Arch. Immunol. Therapiae Exper., vol. 33, pg. 261-275, 1985.	<input type="checkbox"/>	<input type="checkbox"/>
	36.	Slopek, et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections in the Years 1981-1986", Arch. Immunol. Therapiae Exper., vol. 35, pg. 569-584, 1987.	<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/724,900
		Filing Date	December 2, 2003
		First Named Inventor	J. G. Morris, et al.
		Art Unit	1636
		Examiner Name	Michele K. Joike
Sheet	4 of 5	Attorney Docket Number	62610.000035

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	37.	Soothill, J. S., "Bacteriophage Prevents Destruction of Skin Graft by <i>Pseudomonas aeruginosa</i> ", Burns, vol. 20, pg. 209-211, 1994.	<input type="checkbox"/>	<input type="checkbox"/>
	38.	Soothill, J.S., "Treatment of Experimental Infections of Mice with Bacteriophages", J. Med. Microbiol., vol. 37, pg. 258-261, 1992.	<input type="checkbox"/>	<input type="checkbox"/>
	39.	Alavidze, A., et al., "Isolation of Specific Lytic Phages Multidrug Resistant <i>Pseudomonas Aeruginosa</i> ", The American Society for Microbiology, vol. 99, pg. 447, 1999.	<input type="checkbox"/>	<input type="checkbox"/>
	40.	Slopek, S., et al., "Results of Bacteriophage Treatment of Suppurative Bacterial Infections VI. Analysis of Treatment of Suppurative Staphylococcal Infections", Database Biosis 'Online, Biosciences Information Service, 1985.	<input type="checkbox"/>	<input type="checkbox"/>
	41.	Bogovazova, G. G., et al., "Immunobiological Properties & Therapeutic Effectiveness of Preparations from <i>Klebsiella</i> Bacteriophages", Zh. Mikrobiol. Epidemiol. Immunobiol., vol. 3, pg. 30-33, 1992.	<input type="checkbox"/>	<input type="checkbox"/>
	42.	Barrow, P. A., "Bacteriophages Mediating Somatic Antigenic Conversion in <i>Salmonella cholerae-suis</i> : their Isolation from Sewage and Other <i>Salmonella</i> Serotypes Processing the Somatic 6 Antigen", Journal of General Microbiology, vol. 132, pg. 835-837, 1986.	<input type="checkbox"/>	<input type="checkbox"/>
	43.	Barrow, et al., "Salmonellosis - Prospects for Microbiological Control in Poultry", Avian Pathology, vol. 18, pg. 557-561, 1989.	<input type="checkbox"/>	<input type="checkbox"/>
	44.	Barrow, Paul A., et al., "Bacteriophage Therapy and Prophylaxis: Rediscovery and Renewed Assessment of Potential", Trends in Microbiology, vol. 5, pg. 268-271, 1997.	<input type="checkbox"/>	<input type="checkbox"/>
	45.	Berchieri, A., Jr., et al., "The Activity in the Chicken Alimentary Tract of Bacteriophages Lytic for <i>Salmonella Typhimurium</i> ", Res. Microbiol., vol. 142, pg. 541-549, 1991.	<input type="checkbox"/>	<input type="checkbox"/>
	46.	Williams Smith, H., et al., "Successful Treatment of Experimental <i>Escherichia coli</i> Infections in Mice Using Phage: Its General Superiority Over Antibiotics", Journal of General Microbiology, vol. 128, pg. 307-318, 1982.	<input type="checkbox"/>	<input type="checkbox"/>
	47.	Williams Smith, H., et al., "Effectiveness of Phages in Treating Experimental <i>Escherichia coli</i> Diarrhoea in Calves, Piglets and Lambs", Journal of General Microbiology, vol. 129, pg. 2659-2675, 1983.		

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/724,900
		Filing Date	December 2, 2003
		First Named Inventor	J. G. Morris, et al.
		Art Unit	1636
		Examiner Name	Michele K. Joike
Sheet	5 of 5	Attorney Docket Number	62610.000035

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	48.	Williams Smith, H., et al., "Effectiveness of Phages in Treating Experimental <i>Escherichia coli</i> Diarrhoea in Calves by Means of Bacteriophages", Journal of General Microbiology, vol. 133, pg. 1111-1126, 1987.		
	49.	Soothill, J. S., et al., "The Efficacy of Phages in the Prevention of the Destruction of Pig Skin <i>in vitro</i> by <i>Pseudomonas aeruginosa</i> ", Med. Sci. Res., vol. 16, pg. 1287-1288, 1988.	<input type="checkbox"/>	<input type="checkbox"/>
	50.	Gachechiladze, K. K., et al., "Host-Controlled Modification and Restriction as a Criterion of Evaluating the Therapeutical Potential of <i>Pseudomonas</i> Phage", J. Basic Microbiol., vol. 31, pg. 101-106, 1991.	<input type="checkbox"/>	<input type="checkbox"/>
	51.	Adamia, Revaz S., et al., "The Virulent Bacteriophage IRA of <i>Salmonella Typhimurium</i> : Cloning of Phage Genes which are Potentially Lethal for the Host Cell", J Basic Microbiol., vol. 30, pg. 707-716, 1990.	<input type="checkbox"/>	<input type="checkbox"/>
	52.	Karin E. Byers et al., "Disinfection of Hospital Rooms Contaminated with Vancomyci-Resistant <i>Enterococcus faecum</i> ", col. 4, pg. 261-264, April 1988.	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE	DATE CONSIDERED
---------------------------	------------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.